

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KHALID JAFAR, )  
Plaintiff ) Civil Action  
vs. ) No. 02-CV-03457  
EMPIRE FIRE and )  
MARINE INSURANCE COMPANY; )  
B.I.A. INSURANCE; and )  
FIRST INSURANCE FUNDING )  
CORPORATION, )  
Defendants )

\* \* \*

APPEARANCES:

F. PAUL LAUBNER, ESQUIRE  
On behalf of Plaintiff

ALLAN C. MOLOTSKY, ESQUIRE  
On behalf of Defendant,  
Empire Fire and Marine Insurance Company

RICHARD K. HODGES, ESQUIRE  
On behalf of Defendant,  
B.I.A. Insurance

FRANK A. BAKER, ESQUIRE  
On behalf of Defendant,  
First Insurance Funding Corporation

\* \* \*

THIRD RULE 16 STATUS CONFERENCE ORDER

NOW, this 4<sup>th</sup> day of September, 2003, after status conference conducted by telephone with the undersigned on this date, pursuant to Rule 16 of the Federal Rules of Civil Procedure, and by agreement of counsel, it appearing that the claim asserted

in plaintiff's Amended Complaint against defendant Empire Fire and Marine Insurance Company has settled; it further appearing that the claims asserted in the Amended Complaint against defendants B.I.A. Insurance and First Insurance Funding Corporation have also been asserted in a Complaint filed by plaintiff against those defendants in the Court of Common Pleas of Lehigh County, and that neither of those parties intend to remove that case from state court to federal court,

IT IS ORDERED that counsel for defendant Empire Fire & Marine Insurance Company shall prepare and present a release concerning the within settlement action to counsel for plaintiff on or before September 12, 2003.

IT IS FURTHER ORDERED that counsel for plaintiff shall present a letter request to the undersigned on or before September 19, 2003 to discontinue the entire within federal action.

IT IS FURTHER ORDERED, by agreement of counsel for all parties, that defendant First Insurance Funding Corporation shall not be required to file an Answer to the Amended Complaint in the federal action.

BY THE COURT:

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James Knoll Gardner  
United States District Judge